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August 8, 2024

**VIA ECF**

The Honorable Tony N. Leung  
United States District Court  
300 South Fourth Street  
Minneapolis, MN 55415

Re: *Shawgo, et al., v. Counter Brands, LLC d/b/a Beautycounter, et al.*,  
Case No. 24-cv-00556 (D. Minn.)

Dear Magistrate Judge Leung:

The Carlyle Group Inc. (“Carlyle”) writes regarding Plaintiffs’ Motion to Commence Discovery (“Discovery Motion”) (Dkt. 74) to respectfully request that the hearing set for August 15, 2024, be conducted virtually by Zoom.

Plaintiffs did not comply with their meet and confer obligations prior to filing the Discovery Motion, *see* Dkt. 85 at 8-9 & Dkt. 87 at 7-10, and did not discuss with Defendants the hearing date they selected for the Discovery Motion. Lead counsel for Carlyle is based in California and unfortunately cannot travel to and from Minnesota for the hearing as currently set due to in-person obligations in other matters that were scheduled and confirmed before Plaintiffs surprised Defendants with the Discovery Motion and hearing date.

For that reason, and pursuant to Local Rule 7.3(b), Carlyle respectfully requests that the hearing regarding Plaintiffs’ Discovery Motion be conducted virtually by Zoom. Counsel for Defendants Susan Gregg Renfrew, Counter Brands, Inc., and G2G Newco Inc. agree that a Zoom hearing would be more efficient (as they are likewise based in California) and do not oppose this request. Plaintiffs’ counsel stated that they “would like an in-person hearing” but “would not object to you [Carlyle] appearing by zoom if the court allows a hybrid hearing.” Carlyle asks that any hearing that is held on the Discovery Motion be transcribed, regardless of format.

Thank you for your consideration of this request.

Sincerely,



Melanie M. Blunski  
of LATHAM & WATKINS LLP

cc: Counsel of Record via ECF